

120103

01919 U.S.PTO

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>	Attorney Docket No.: <u>040989/267152</u>
	First Inventor: Everett
	Title: LED ARRAY FOR ILLUMINATING CELL WELL PLATES AND AUTOMATED RACK SYSTEM FOR HANDLING THE SAME
	Express Mail Label No. EV184330267US

ADDRESS TO: MAIL STOP PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

22141 U.S.PTO  
10/725044

120103

Transmitted herewith for filing in the United States Patent Office is a patent application for:

Inventor: Keith Everett

Assignee of this invention is Biolex, Inc.

1. ☒ The Filing Fee has been calculated as shown below:  
2. ☒ Applicant claims Small Entity Status. See 37 CFR 1.27.

		Small Entity		Large Entity	
No. Filed	No. Extra	Rate	Fee 1	Rate	Fee 0
BASIC FEE			\$385		\$ 0
TOTAL CLAIMS:	24 - 20 = 4	X 9 =	\$ 36	x 18 =	\$ 0
INDEP CLAIMS:	5 - 3 = 2	X 43 =	\$ 86	x 86 =	\$ 0
[ <input type="checkbox"/> ] MULTIPLE DEPENDENT CLAIMS PRESENTED			+145 = \$		+290 = \$
*If the difference in Column 1 is less than zero, enter "0" in Column 2.		TOTAL	\$507	TOTAL	\$ 0

The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Acct. No. 16-0605.

- a. ☒ Fees required under 37 CFR 1.16 (National filing fees).  
b. ☒ Fees required under 37 CFR 1.17 (National application processing fees) including any extension of time fees under 37 CFR § 1.136(a) that are required for consideration of papers filed during prosecution.
- ☒ A check in the amount of \$507.00 for the filing fee is enclosed.
- ☐ The above filing fee will be paid along with Applicant's Response to Notice to File Missing Parts.
3. ☒ Specification; Total Pages 17
4. ☒ 6 Sheets of Drawings (35 USC 113)
5. ☒ Declaration and Power of Attorney; Total Pages 3  
a. ☐ Newly executed (original or copy)  
b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)  
i. ☐ DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) & 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Copy (CRF)
- b. ☐ Request for Transfer of Computer Readable Form of Sequence Listing under 37 CFR § 1.821(e) and MPEP 2422.05 (must be compliant with new rules)
- c. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper (\_\_\_ pages)
- d. ☐ Statements verifying identity of above copies

#### ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s) (including a check for the \$40.00 fee)
10. ☐ 37 CFR 3.73(b) Statement (*when there is an assignee*); ☐ Power of Attorney
11. ☐ English Translation Document (*if applicable*)
12. ☒ Information Disclosure Statement (IDS) / PTO-1449 (4 pages – 26 citations w/o copies)
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
15. ☐ Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
- ☐ Foreign Priority is claimed as Application No. , filed
16. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).  
Applicant **must** attach form PTO/SB35 or its equivalent.
17. ☐ Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.
18. **If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:**
- ☒ Continuation ☐ Divisional ☐ Continuation in Part (CIP)

of prior Application No: 10/080,918; Filed: February 22, 2002

Prior Application Information: Examiner 1744 Group/Art Unit: David A. Redding

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. **CORRESPONDENCE ADDRESS** **CUSTOMER NUMBER 00826**

Signature: \_\_\_\_\_

Attorney of Record: Jason O. Piché

Attorney Registration No. 53,468

**Alston & Bird LLP**

Bank of America Plaza

101 South Tryon Street, Suite 4000

Charlotte, NC 28280-4000

Tel Raleigh Office (919) 862-2200

Fax Raleigh Office (919) 862-2260

"Express Mail" mailing label number: EV184330267US

Date of Deposit: December 1, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:  
Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Rebecca Kerney  
Rebecca Kerney